

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

Kenneth Lydell Fox,	)	C/A #9:08-0207-PMD-GCK
	)	
Petitioner,	)	
	)	
vs.	)	<b><u>ORDER</u></b>
	)	
Michael Pettiford,	)	
	)	
Defendant.	)	
_____	)	

On April 1, 2008, this Court issued an Order dismissing the above referenced matter pursuant to Rule 41 of the Federal Rules of Civil Procedure. The Court has now been advised by the Clerk of Court that petitioner paid his filing fee and brought his case into proper form on March 7, 2008, however, the receipt evidencing payment of said filing fee was not filed, nor was the Court aware of such payment, until this date. In view of the circumstances, the Clerk of Court **shall vacate the Order** filed on April 1, 2008, and the file shall be returned to Magistrate Judge George C. Kosko for further handling.

**AND IT IS SO ORDERED**

  
\_\_\_\_\_  
PATRICK MICHAEL DUFFY  
United States District Judge

April 2, 2008  
Charleston, South Carolina